



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2. NAVY ANNEX
WASHINGTON DC 20370-5100

BJG
Docket No: 9018-02
27 January 2003

SSGT [REDACTED] USMC
[REDACTED]
[REDACTED]

Dear Staff Sergeant [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 24 January 2003. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by Headquarters Marine Corps, dated 3 December 2002, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. They did not accept your contention that the information reflected in the documentation at issue, to the effect that you were diagnosed with major depression with suicidal ideation, should not be in your Official Military Personnel File, where it could be reviewed by personnel "not trained in the medical field." They were satisfied that such information could be dealt with properly by non-medical personnel. In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records.

Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:
1070
MIFD
3 DEC 2002

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR APPLICATION IN THE CASE OF STAFF SERGEANT [REDACTED]
[REDACTED] USMC

1. Staff Sergeant [REDACTED] application with supporting documents has been reviewed concerning her request for removal of documents pertaining to an approved relief for good of the service package that is on file in her official military personnel files (OMPF). These documents are located on pages 17 through 39 of her Service/Miscellaneous Section of her OMPF.

2. MCO P1070.12J, Marine Corps Individual Records Administration Manual (IRAM), chapter 1, sets forth guidance and provides information on the contents of the OMPF in use at Headquarters, U. S. Marine Corps. Limitations exist regarding the types of documents authorized for inclusion in the OMPF. The documents Staff Sergeant [REDACTED] refers to were provided by her commander as documented evidence to support the request for relief for good of the service package to terminate her assignment on recruiting duty. A copy of an approved relief for good of the service package meets the guidelines contained in paragraph 1000.4 of the IRAM for inclusion in her OMPF. Additionally, Staff Sergeant [REDACTED] was provided the opportunity to make a rebuttal statement which was required per paragraph 1000.4c of the IRAM.

3. In view of the above, it is recommended that the Board for Correction of Naval Records disapprove Staff Sergeant [REDACTED] request for removal of the relief for good of the service package from her OMPF. However, if the Board for Correction of Naval Records finds that Staff Sergeant [REDACTED] records are in error or an injustice was committed, approve the removal of the relief for good of the service package from her OMPF. Point of contact is Mr. [REDACTED] at [REDACTED]

[REDACTED]

Director
Manpower Management Information
Systems Division